

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MODIFICATION TO MUNICIPAL SOLID WASTE PERMIT NO. 1327B PINEHILL LANDFILL

Municipal Solid Waste Permit No. 1327B is hereby modified as follows:

Description of Change:

Modification of the facility's Site Development Plan to allow changes to parts of Attachment 5 (Groundwater Characterization Report) that revise the groundwater monitoring system design at the facility. The revisions address the groundwater monitoring system design and corrective action requirements in Title 30 Texas Administrative Code (30 TAC) Chapter 330, Subchapter J, that became effective March 27, 2006 (2006 Revisions).

The details of this permit modification are contained in the application dated March 26, 2008 and revisions dated April 26, June 15, and August 10, 2009.

Part of Permit Modified:

Part III, Site Development Plan: Attachment 5, Groundwater Characterization Report, Section 2 –Groundwater Monitoring System; Appendix 5C; and Appendix 5D.

This modification is a part of Permit No. 1327B and should be attached thereto.

APPROVED, ISSUED, AND EFFECTIVE in accordance with 30 TAC Chapter 305 Section (§)305.70(l) and Chapter 330, §330. 403.

ISSUED DATE:

OCT 14 2009


For the Commission

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2009

Mr. Chris Alderete
Environmental Manager
Pine Hill Farms Landfill TX, LP
P. O. Box 130702
Tyler, Texas 75713

Re: Pinehill Landfill - Gregg County
Municipal Solid Waste (MSW) - Permit No. 1327B
Permit Modification – Groundwater Monitoring System Revision
Tracking Nos. 12786140; 12715744; 12650882; and 11995260; RN101909737/CN600129530

Dear Mr. Alderete:

We have reviewed your application for a municipal solid waste permit modification dated March 26, 2008 and revisions dated April 26, June 15, and August 10, 2009 regarding the above referenced MSW facility for changes to parts of Attachment 5 (Groundwater Characterization Report) of the facility's Site Development Plan to revise the groundwater monitoring system at the facility. The revisions address the groundwater monitoring system design and corrective action requirements in Title 30 Texas Administrative Code Chapter 330, Subchapter J, that became effective March 27, 2006 (2006 Revisions). The information presented is technically sufficient for a municipal solid waste permit modification.

Enclosed is a copy of the above referenced modification which is now part of your permit and should be attached thereto. The documentation prepared and submitted to support the modification request shall be considered as requirements of the permit.

If you have questions concerning this matter, please contact Mr. Matthew Udenenwu at (512) 239-6229. When addressing written correspondence, please use mail code MC 124.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

Sincerely,

A handwritten signature in black ink, reading "Richard C. Carmichael", is written over a horizontal line.

Richard C. Carmichael, Ph.D., P.E.
Manager, Municipal Solid Waste Permits Section
Waste Permits Division

RCC/MCU/fp

cc: Mr. Kevin T. Carel, The Carel Corporation, Keller

Enclosure

bcc: Mr. Michael Brashear, Waste Program Manager - TCEQ Region 5 Office, Tyler
Mr. Keiandre McGruder, TCEQ, Waste Permits Division, MC 126
Ms. Dawn Dollins, TCEQ, Municipal Solid Waste Section, MC 124

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
October 20, 2009

Chris Alderete, Environmental Manager
Pine Hill Farms Landfill TX, LP
P.O. Box 130702
Tyler, Texas 75713-0702

RE: Pine Hill Landfill – Gregg County
Permit No. 1327B

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has issued final approval of the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the approval became effective on the date the ED signed the permit or other approval. A copy of the final approval is enclosed and cites the effective date.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ executive director's approval of the application. Any motion must explain why the commission should review the TCEQ executive director's action. According to 30 TAC Section 50.139 an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the chief clerk in person or by mail. The Chief Clerk's mailing address is Office of the Chief Clerk (MC 105), TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. On the same day the motion is transmitted to the chief clerk, please provide copies to Robert Martinez, Environmental Law Division Director (MC 173), and Blas Coy, Public Interest Counsel (MC 103), both at the same TCEQ address listed above. If a motion is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's approval. According to Texas Water Code Section 5.351 a person affected by the ED's approval must file a petition appealing the ED's approval in Travis County district court within 30 days after the effective date of the approval. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Individual members of the public may seek further information by calling the TCEQ Office of Public Assistance, toll free, at 1-800-687-4040.

Sincerely,

LaDonna Castañuela
Chief Clerk

A handwritten signature in black ink, reading "LaDonna Castañuela", is written over the typed name and title of the Chief Clerk.

LDC/lg

cc: Blas Coy, TCEQ Public Interest Counsel (MC 103)